

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

CHARLESTON DIVISION

Barbara Heckert Shock,

Plaintiff

v.

Civil Action Number 2:13-cv-05373

Boston Scientific Corporation,

Defendant.

MEMORANDUM OPINION AND ORDER

On June 23, 2020, I entered an order directing plaintiff to show cause in her individual case on or before July 23, 2020, why her case should not be dismissed as to defendant Boston Scientific Corporation (“BSC”) pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure. [ECF No. 37]. The Order was sent to the plaintiff at her last known address and posted on the court’s website.

Plaintiff failed to respond to the Show Cause Order. Pursuant to Rule 41(b) of the Federal Rules of Civil Procedure and Rule 41.1 of the Local Rules of Civil Procedure and after weighing the factors identified in *Ballard v. Carlson*, 882 F.2d 93, 95 (4th Cir. 1989), the court finds that the plaintiff has failed to prosecute her cases. The court **ORDERS** that BSC is dismissed without prejudice. There are no remaining defendants in this case and therefor, the court further **ORDERS** that the case is **DISMISSED** and **STRICKEN** from the court’s active docket. Any pending motions are **DENIED** as moot.

The court **DIRECTS** the Clerk to send a copy of this Order to counsel of record and plaintiff at her address.

ENTER: August 13, 2020


JOSEPH R. GOODWIN
UNITED STATES DISTRICT JUDGE